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By: **Delegates Impallaria, McDonough, and Jennings**

Introduced and read first time: February 9, 2006

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2                           **Real Property - Harford County - Eminent Domain - Repurchase of**  
3                           **Condemned Property**

4 FOR the purpose of requiring a condemnor in Harford County that decides to sell  
5 condemned property to first offer the property at a certain price to a condemnee  
6 or the condemnee's heirs or assignees; establishing that the sales price of the  
7 condemned property is the amount of the compensation paid for the property;  
8 establishing that a condemnee or the condemnee's heirs or assignees have the  
9 right to repurchase the condemned property within a certain period of time;  
10 authorizing the condemnor to sell the property to any other person if the offer is  
11 not accepted; and generally relating to the condemnation of private property.

12 BY adding to  
13 Article - Real Property  
14 Section 12-108.1  
15 Annotated Code of Maryland  
16 (2003 Replacement Volume and 2005 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19                           **Article - Real Property**

20 12-108.1.

21 (A) THIS SECTION APPLIES TO HARFORD COUNTY.

22 (B) FOR A PROPERTY CONDEMNED IN ACCORDANCE WITH THIS TITLE, IF AT  
23 ANY TIME THE PLAINTIFF THAT ACQUIRED THE PROPERTY DECIDES TO SELL THE  
24 PROPERTY, THE PLAINTIFF SHALL MAKE AN OFFER IN WRITING FIRST TO THE  
25 DEFENDANT FROM WHOM THE PROPERTY WAS ACQUIRED TO THE HEIRS OR  
26 ASSIGNEES OF THE DEFENDANT.

1 (C) THE SALES PRICE FOR THE CONDEMNED PROPERTY SHALL BE THE  
2 AMOUNT OF THE AWARD OF COMPENSATION PAID FOR THE PROPERTY, REGARDLESS  
3 OF ANY IMPROVEMENTS MADE ON THE PROPERTY AFTER CONDEMNATION.

4 (D) (1) THE DEFENDANT OR THE HEIRS OR ASSIGNEES OF THE DEFENDANT  
5 HAVE THE RIGHT TO REPURCHASE THE CONDEMNED PROPERTY WITHIN 90 DAYS  
6 AFTER THE DATE OF THE WRITTEN OFFER.

7 (2) IF THE DEFENDANT OR THE HEIRS OR ASSIGNEES OF THE  
8 DEFENDANT DO NOT ACCEPT THE OFFER OF SALE WITHIN THE TIME PERIOD  
9 DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE PLAINTIFF MAY SELL THE  
10 PROPERTY TO ANY OTHER PERSON IN ACCORDANCE WITH PROCEDURES  
11 ESTABLISHED IN LAW.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2006.